

## Combined Declaration and Power of Attorney for Patent Application

Docket Number: 12960009US03

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **SPATIALLY ADDRESSABLE, CLEAVABLE REFLECTIVE SIGNAL ELEMENTS, ASSAY DEVICE AND METHOD**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on OCTOBER 15, 1999;  
as United States Application Number or PCT International Application Number 09/419,407; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			
Application No.	Country	(Day/Month/Year/Filed)	Priority Claimed
			Yes No
			Yes No
			Yes No
			Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

Application No.	Filing Date
60/021,367	JULY 8, 1996

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application No.	Filing Date	(Status – patented, pending, abandoned)
09/394,137	SEPTEMBER 10, 1999	PENDING
08/888,935	JULY 7, 1997	PENDING

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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Direct Telephone Calls to: (202) 783-0800

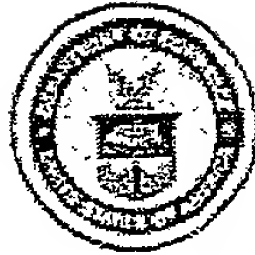
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: JORMA VIRTANEN	CITIZENSHIP: FINLAND
RESIDENCE: 5005 PASEO SEGOVIA, IRVINE, CALIFORNIA 92612 USA	DATE: December 13, 1999
POST OFFICE ADDRESS: SAME	INVENTOR'S SIGNATURE: <i>J. Virtanen</i>
FULL NAME OF SECOND INVENTOR:	CITIZENSHIP:
RESIDENCE:	DATE:
POST OFFICE ADDRESS:	INVENTOR'S SIGNATURE:
FULL NAME OF THIRD INVENTOR:	CITIZENSHIP:
RESIDENCE:	DATE:
POST OFFICE ADDRESS:	INVENTOR'S SIGNATURE:

(Supply similar information and signature for subsequent joint inventors, if any)



\*OC000000005131846\*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/419,407	10/15/1999	JORMA VIRTANEN	12960009US03

22930  
HOWREY SIMON ARNOLD & WHITE LLP  
BOX 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

Date Mailed: 05/22/2000

### NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/05/2000.

The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

David J. Oldenkamp  
Oppenheimer, Wolff &  
Donnelly  
2029 Century Park East  
Suite  
Los Angeles CA 90067

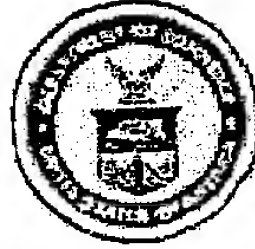
Customer Service Center

Initial Patent Examination Division (703) 308-1202

NEW ATTORNEY/AGENT COPY



\*OC00000005131851\*


**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

 Address: COMMISSIONER OF PATENT AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/419,407	10/15/1999	JORMA VIRTANEN	12960009US03 18950-17

 DAVID J. OLDENKAMP, ESQ.  
 OPPENHEIMER, WOLFF & DONNELLY LLP  
 SUITE 3800  
 2029 CENTURY PARK EAST  
 LOS ANGELES, CA 90067

*Burstein*
**RECEIVED****MAY 30 2000****OPPENHEIMER**

Date Mailed: 05/22/2000

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 05/05/2000.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

 SCANNED # 26



 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 ATTORNEY/APPLICANT COPY

**REVOCATION/APPOINTMENT OF POWER OF ATTORNEY  
OR AUTHORIZATION OF AGENT**

Docket Number (Optional)

18950-17

In re Application of

Virtanen

Application No.

09/419,407

Filed

October 15, 1999

Group Art Unit

1643

Examiner

N/A

To: Assistant Commissioner for Patents  
Washington, DC 20231

1. ☒ I hereby revoke all previous powers of attorney or authorization of agents in the above identified application.
2. ☐ I hereby revoke less than all previous powers of attorney or authorization of agents in the above application. Revocation applies to the following person(s): (give name(s) and registration number(s))
3. ☒ I/we hereby appoint the following person(s) as my/our attorney(s) or agent(s) to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith: (give name(s) and registration number(s))

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W. Poms, Reg. 18,782  
G.P. Smith, Reg. 20,142  
H.D. Jastram, Reg. 19,777  
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G.B. Wood, Reg. 28,133  
L.C. Cullman, Reg. 39,645  
M.K. Bosworth, Reg. 28,186

- ☐ The correspondence address is NOT affected by this communication.
- ☒ Change the correspondence address and direct all future correspondence to:

David J. Oldenkamp, Esq.  
Oppenheimer Wolff & Donnelly LLP  
2029 Century Park East, Suite 3800  
Los Angeles, CA 90067

I am the:

- ☐ Applicant(s) (signature of all applicants are required).
- ☒ Assignee of record of the entire interest.

Certification under 37 CFR 3.73(b)

Signature

Date

Richard Burstein  
Typed or printed name

- ☒ is enclosed.
- ☐ has already been filed in this application.

Address: BURSTEIN LABORATORIES, INC.  
15375 BARRANCA PARKWAY  
SUITE I-101  
IRVINE, CALIFORNIA 92618

**Verified Statement (Declaration) Claiming Small Entity Status  
(37 C.F.R. §§ 1.9(d) and 1.27(c)) -- Small Business Concern**

Applicant or Patentee: JORMA VIRTANEN

Application or Patent No.: 09/417,407

Attorney Docket No.: 12960009US03

Filed or Issued: OCTOBER 15, 1999

For: SPATIALLY ADDRESSABLE, CLEAVABLE REFLECTIVE SIGNAL ELEMENTS, ASSAY DEVICE AND METHOD

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN BURSTEIN LABORATORIES, INC.

ADDRESS OF SMALL BUSINESS CONCERN 15373 BARRANCA PARKWAY, SUITE I 101

IRVINE, CALIFORNIA 92618 USA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization (other than the small business concern identified above) having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☐ each person, concern, or organization is listed below.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING RICHARD BURSTEIN

TITLE IN ORGANIZATION PRESIDENT

ADDRESS OF PERSON SIGNING 15373 BARRANCA PARKWAY, SUITE I 101, IRVINE, CALIFORNIA 92618 USA

SIGNATURE \_\_\_\_\_

Date: 12/2/99

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